

October 28, 2009

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications commission
445 12th Street, SW
Washington, DC 20554

Re: CC Docket No. 96-45 In the Matter of Federal-State Joint Board on Universal
Service and TracFone Wireless, Inc., *et al* Petition for Modification of Annual
Verification Condition

NOTICE OF EX PARTE PRESENTATION

Dear Ms. Dortch:

On October 28, 2009, undersigned counsel for TracFone Wireless, Inc. met with Irene Flannery, Associate Chief, Wireline Competition Bureau, and with Alex Minard, Legal Advisor, Wireline Competition Bureau. During the meeting, we discussed TracFone's pending petition for modification of the annual verification condition imposed upon TracFone as a condition in the Commission's September 2005 order granting TracFone's petition for forbearance. In that petition, TracFone has requested that the Commission modify the condition so as to allow TracFone to verify annually that its Lifeline customers remain head of household and receive Lifeline-supported service only from TracFone based upon a statistically-valid sample of customers. Grant of this petition would make the condition consistent with the Commission's generally-applicable Lifeline annual verification requirement codified at Section 54.410 of the Commission's rules.

We also discussed TracFone's pending petition for rulemaking to modify Section 54.403 of the rules governing Lifeline support as well as TracFone's petition for modification of that rule. TracFone's positions expressed regarding both of these matters are consistent with those set forth in its petitions, filed comments, and prior ex parte presentations.

This letter is being filed electronically pursuant to Section 1.1206(b) of the Commission's rules. If there are questions, please communicate with undersigned counsel for TracFone.

Sincerely,



Mitchell F. Brecher

Cc: Ms. Irene Flannery
Mr. Alex Minard